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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE

ELEVENTH YEAR OF THE REIGN
OF HIS MAJESTY

KING GEORGE VI

BEING THE

THIRD SESSION OF THE TWENTIETH PARLIAMENT

Begun and holden at Ottawa, on the Thirtieth day of January, 1947, and
closed by Prorogation on the Seventeenth day of July, 1947.



FIELD MARSHAL THE RIGHT HONOURABLE
VISCOUNT ALEXANDER OF TUNIS
GOVERNOR GENERAL

PART II

LOCAL AND PRIVATE ACTS, NOT INCLUDING DIVORCE ACTS

An index to Divorce Acts may be found at back of this volume.

OTTAWA
PRINTED BY EDMOND CLOUTIER, C.M.G., B.A., L.Ph.
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1947

11 GEORGE VI.

CHAP. 79.

An Act respecting The Ottawa Electric Railway Company.

[Assented to 17th July, 1947.]

WHEREAS The Ottawa Electric Railway Company Preamble.
has by its petition prayed that it may be enacted as 1894, c. 86;
hereinafter set forth, and it is expedient to grant the prayer 1899, c. 82;
of the petition: Therefore His Majesty, by and with the 1903, c. 171;
advice and consent of the Senate and House of Commons of 1925, c. 63;
Canada, enacts as follows:— 1930, c. 58.

1. Section four of chapter eighty-six of the statutes of 1894, as enacted by section one of chapter fifty-eight of the statutes of 1930, is amended by adding thereto as subsection two the following:

“(2) The Company may by resolution of its directors at any time subdivide the said forty thousand shares without nominal or par value into one hundred and sixty thousand shares without nominal or par value, but after such subdivision no part of the unissued capital stock shall be issued at less than twenty-five dollars per share.” Company empowered to subdivide shares.

2. Section one of chapter one hundred and seventy-one of the statutes of 1903, as enacted by section one of chapter sixty-three of the statutes of 1925, is repealed and the following substituted therefor:

“**1.** (1) The Company may borrow money and may make and issue bonds, debentures or other securities to the extent of seventy-five per cent of the value of the Company's assets from time to time, and the said bonds, debentures or other securities shall be made, issued and secured in the manner and to the extent provided by sections one hundred and thirty-two to one hundred and forty-five inclusive of *The Railway Act*. Borrowing powers.

(2) The directors of the Company may issue bonds, debentures or other securities referred to in the preceding subsection and, in the application of subsection one of Directors' powers.

Shareholders'
meeting.

section one hundred and thirty-two of *The Railway Act* to the Company, it shall be sufficient if such directors be duly empowered in that behalf by at least two-thirds of the votes cast at a meeting of shareholders called in the manner provided by the said subsection and it shall not be necessary that shareholders representing at least two-thirds in value of the subscribed stock of the Company who have paid all calls due thereon be present in person or represented by proxy at such meeting.

Company's
assets.

(3) For the purposes of this section the value of the Company's assets shall be deemed to have been four million five hundred thousand dollars on the thirty-first day of July, 1922, and hereafter shall be deemed to be the total of such amount and all amounts after such date from time to time invested in capital assets of the Company."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 80.

An Act to incorporate Quebec North Shore and Labrador Railway Company.

[Assented to 14th May, 1947.]

WHEREAS a petition has been presented praying for the Preamble.
incorporation of a company to construct and operate
a railway as hereinafter set forth, and it is expedient to
grant the prayer of the petition: Therefore His Majesty,
by and with the advice and consent of the Senate and
House of Commons of Canada, enacts as follows:—

1. Jules Robert Timmins, executive, Leo Henry Timmins, Incorporation.
executive, John Ireland Rankin, executive, Joseph Arthur
Simard, industrialist, all of the city of Montreal, in the
province of Quebec, and David Moffat Dunlap, executive,
of the city of Toronto, in the province of Ontario, together
with such persons as become shareholders in the Company,
are incorporated under the name of “Quebec North Shore
and Labrador Railway Company”, hereinafter called “the Corporate
Company”. name.

2. The persons named in section one of this Act are Provisional
constituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be two million Capital
dollars. stock.

4. The head office of the Company shall be in the city Head office.
of Montreal, in the province of Quebec.

5. The annual meeting of the shareholders shall be Annual
held on the first day of May, or on such other date as may meeting
be determined by resolution of the Board of Directors.

6. The number of directors shall be not less than five Directors.
nor more than eleven, one or more of whom may be paid
directors.

Line of railway described.

7. The Company may lay out, construct and operate a railway starting at a point on the St. Lawrence River, somewhere between the Riviere Marguerite and Riviere Moisie, in the province of Quebec; thence in a northerly direction following the valley of the Riviere Moisie or the valleys of the Riviere Moisie and Wacouno River to the southern boundary of Labrador; thence in a northerly direction to a point on the northern boundary of Labrador in the vicinity of Ruth Lake, provided that authority be obtained from Newfoundland for the construction and operation of this section of the railway; thence north-westerly to a suitable port on Ungava Bay.

Issue of securities.

8. The securities issued by the Company shall not exceed the cost of the railway constructed or under contract to be constructed.

Agreements with other companies for sale, lease or amalgamation.

R.S., c. 170.

9. (1) Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, the Company may, for any of the purposes specified in the said section one hundred and fifty-one, enter into agreements with any other company, whether within the legislative authority of the Parliament of Canada or not and whether within or outside Canada.

Purchase of railway shares and securities.

(2) Notwithstanding the provisions of section one hundred and forty-seven of the *Railway Act* the Company may acquire the stock, shares, bonds or other securities issued by any such railway company or acquire any interest in any such stock, shares, bonds or other securities.

Preference stock.

10. (1) The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority as respects dividends or otherwise over ordinary stock and may be redeemable on such terms and conditions as is declared by such resolution.

Holders to be shareholders.

(2) Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of the *Railway Act*, and shall, in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

11. Subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, the Company shall have power to generate, acquire, use, transmit and distribute electric and other power or energy. Electric and other power.

12. Subject to the provisions of section three hundred and sixty-nine of the *Railway Act*, the Company shall have power to transmit telegraph and telephone messages for the public and to collect tolls therefor. Telegraph and telephone messages.

13. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith, and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property. Vessels.
Wharfs, docks.
Warehousemen and wharfingers.

14. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated and upon terms to be agreed upon by such municipality, and/or the Department of Municipal Affairs of the Province of Quebec. Hotels.
Parks

15. In connection with its business and for the purposes of its undertaking the Company may establish and operate a service of traction motors or cars, driven by mechanical or other power for collecting, carrying, transporting and delivering freight, goods and passengers and may collect rates and charges therefor: Provided however that the exercise of the powers conferred on the Company by this section shall be subject to all Provincial and Municipal enactments and the Provincial regulations of general application to highways, the regulation of highway traffic, rates and charges, and the operation of motor vehicles thereon. Motor cars.
Rates and charges.

16. The Company may lay out, construct, instal, maintain, equip and operate a pipe line or lines for the purpose of the transportation or transmission of oil, natural gas, petroleum and other mineral products between the termini of its railway, and may construct, provide and operate Pipe lines for transportation of oil, gas, etc.

reservoirs, warehouses and such buildings, machinery, facilities, plant and equipment as may be necessary for the storage and transportation of such oil, natural gas, petroleum and other mineral products; and the provisions of the *Railway Act*, except the provisions thereof in respect to traffic, tolls or tariffs, shall in so far as reasonably applicable, extend and apply to the works and undertaking of the Company authorized by this section, and wherever the word, 'railway', occurs in the said Act, it shall, in and for the purposes of such application, extend to and include the said pipe line or lines and works connected therewith.

Aeronautics
Act, R.S.,
c. 3.

17. Subject to the provisions of the *Aeronautics Act*, the Company may acquire, own, maintain and operate aircraft and other aerial equipment and all facilities appurtenant thereto for the transport of passengers, mail, express and freight.

Additional
borrowing
powers.

18. In addition to the securities authorized by section eight of this Act, the directors, if previously authorized as prescribed by sections one hundred and thirty-two and one hundred and thirty-three of the *Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Limitation.

Commence-
ment date.

19. The Company may, within five years after the passing of this Act, commence to construct the line of railway, and may within ten years after the passing of this Act complete the said line of railway, and if within the said periods respectively the said line of railway is not commenced or is not completed and put in operation, the power of construction conferred upon the Company by the Parliament of Canada shall cease and be null and void as respects so much of the said line of railway as then remains uncompleted.

General
advantage of
Canada.

20. The works and undertakings of the Company are hereby declared to be for the general advantage of Canada.

11 GEORGE VI.

CHAP. 81.

An Act respecting The Toronto, Hamilton and Buffalo Railway Company.

[Assented to 14th May, 1947.]

WHEREAS The Toronto, Hamilton and Buffalo Railway Company has prayed by its petition that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1891, c. 86;
1893, c. 62;
1895, c. 66;
1896 (1), c. 39;
1903, c. 197;
1905, c. 165;
1915, c. 57;
1916, c. 50;
1917, c. 58;
1918, c. 57.

1. The trust indenture made between The Toronto, Hamilton and Buffalo Railway Company and The Royal Trust Company, dated the first day of November one thousand nine hundred and forty-six, set out in the Schedule to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto in all respects whatsoever as if the said trust indenture and each and every clause thereof were set out at length and enacted in this Act, and The Toronto, Hamilton and Buffalo Railway Company under the said trust indenture may do whatsoever may be necessary to carry out and give full effect to the said trust indenture.

Trust
indenture
confirmed.

2. The issuance and sale by The Toronto, Hamilton and Buffalo Railway Company of the two million dollars principal amount of notes provided for in the said trust indenture are hereby ratified and confirmed.

Note issue
ratified.

SCHEDULE.

THIS INDENTURE dated as of the 1st day of November, 1946,

BETWEEN:

The Toronto, Hamilton and Buffalo Railway Company, a railway company declared by special Act of the Dominion of Canada to be for the general advantage of Canada and subject to the Railway Act, and having its head office at the City of Hamilton in the Province of Ontario, (hereinafter called "the Company"):

OF THE FIRST PART

— and —

The Royal Trust Company, a body incorporated under the laws of the Province of Quebec and duly authorized to transact business in the Province of Ontario and having an office at the said City of Hamilton, (hereinafter called "the Trustee"):

OF THE SECOND PART

WHEREAS the Company desires to raise money for its corporate purposes and intends to issue Two Million dollars (\$2,000,000) principal amount of Notes (hereinafter sometimes referred to as the "Notes") as hereinafter set out;

NOW, THEREFORE, THIS INDENTURE WITNESSETH AND IT IS HEREBY COVENANTED, AGREED AND DECLARED AS FOLLOWS:

1. The Notes which may be issued under this Trust Indenture shall be limited to a total aggregate principal amount of Two Million dollars (\$2,000,000) and each of the Notes shall be dated as of such date not earlier than the date of this Trust Indenture as the President or a Vice-President and the Secretary or the Treasurer of the Company may approve and, except as hereinafter provided, shall mature and be payable as follows:—

\$200,000 on November 1st, 1947.
 \$200,000 on November 1st, 1948.
 \$200,000 on November 1st, 1949.
 \$200,000 on November 1st, 1950.
 \$200,000 on November 1st, 1951.
 \$200,000 on November 1st, 1952.
 \$200,000 on November 1st, 1953.
 \$200,000 on November 1st, 1954.
 \$200,000 on November 1st, 1955.
 \$200,000 on November 1st, 1956.

The Notes shall be issued in denominations of \$200,000 and the principal thereof shall be payable at the principal office of the Bank of Montreal in the City of Hamilton in the Province of Ontario, in lawful money of Canada. Each of the Notes shall bear interest from such date not earlier than the date of this Trust Indenture as the President or a Vice-President and the Secretary or the Treasurer of the Company may approve payable half-yearly on May 1st and November 1st in each year at the rate of $2\frac{3}{4}\%$ per annum. The Notes to be issued shall be in fully registered form without coupons and shall be numbered consecutively "1" and upwards in the order of their issue, as the case may be. The approval of the President, a Vice-President, the Secretary or the Treasurer of the Company of any date as aforesaid shall be conclusively proved by his signing or countersigning the Note in which such date appears.

2. The Notes shall be substantially in the form set out in the First Schedule hereto.

3. All of the Notes issued hereunder and interest thereon shall rank *pari passu* and be entitled to the benefit of this Trust Indenture equally and ratably without discrimination or preference by reason of priority in the issue or negotiation thereof.

4. As the interest on the Notes matures the Company shall forward by post to the registered holders of the Notes for the time being cheques payable at par in Hamilton for such interest payable to the order of such holders respectively.

5. Neither the property, business or undertaking of the Company shall be subject to any special charge as security for the payment of the Notes or of the interest thereon.

6. The Company shall have the right at any interest payment date prior to the maturity above stated of the Notes to prepay at its option all or any part of the Notes which may be then still outstanding in the amount of Two Hundred Thousand dollars (\$200,000) or in multiples thereof, provided that all interest in respect of all of the Notes shall have been paid to the date of such prepayment and upon payment of a premium of $\frac{1}{8}\%$ per annum for each year or part thereof, of the unexpired portion of the term of the Notes, providing that any Notes so prepaid shall be in reverse order of maturity.

7. The Company hereby covenants and agrees with the Trustee for the benefit of the Trustee and the registered holders of the Notes as follows:

(a) That the audited balance sheet of the Company as of 31st December, 1945, and the surplus statement as of the said date and the profit and loss statement for the twelve months ended on 29th December-1945, fairly present the financial condition of the Company as at the said date and the results of its operations for the twelve months' period

then ended. No material adverse changes have occurred in the financial condition of the Company since that date. The Company has no material contingent liabilities which are not reflected on said balance sheet and is not a party to any litigation and, to the knowledge of the officers of the Company, is not threatened with any litigation which might adversely affect the financial condition of the Company.

(b) That it will pay or cause to be paid all taxes, rates, government fees and dues levied, assessed or imposed upon the Company or any subsidiary Company and upon the property of the Company or any subsidiary company or any part thereof, as and when the same become due and payable, save and except when and so long as the validity of any such taxes, rates, fees, and dues is in good faith contested by the Company or the subsidiary company concerned; and will duly observe and conform to all valid requirements of any governmental authority relative to any property of the Company and subsidiary companies and all covenants, terms and conditions upon or under which any such property is held.

(c) That it will furnish to the registered holders of the Notes copies of its annual financial statements including balance sheet and statements of surplus and profit and loss accounts.

(d) That it will insure or cause to be insured and keep insured or cause to be kept insured all the buildings, plant and property of the Company including buildings and plant under construction, for such an amount as the Company's Directors may consider sufficient, in such insurance company or companies as the Company's Directors may select.

(e) That whilst the Notes or any of them or any interest payable in respect thereto shall remain outstanding and unpaid neither the Company nor any of its subsidiaries will, without the prior consent in writing of the registered holders of not less than Fifty-one per cent (51%) in principal amount of the Notes outstanding:

(1) Incur or create any further and additional corporate indebtedness except such normal indebtedness as may be incidental to the ordinary course of its business as presently conducted.

(2) Create any liens upon or assign or transfer as security or pledge or hypothecate its current or fixed assets.

(3) Guarantee, endorse or otherwise become surety for or upon the obligations of others except by endorsement of negotiable instruments for deposit or collection in the ordinary course of business.

(4) Redeem by purchase, reduction of capital or otherwise any shares in its capital stock of any class.

Provided, however, that the restrictions contained in sub-clauses (1) and (2) of this clause (e) shall not apply to any additional corporate indebtedness (including Equipment Trust Certificates issued under Philadelphia Plan Equipment Trust) incurred or pledges or liens which the Company may incur, assume or grant as part of the consideration of the purchase of new railway equipment; and provided further that in no case shall any such pledge or lien exceed an amount greater than the cost of the new railway equipment so purchased.

8. That in the event that notwithstanding Section 7 (e) (1) and (2) of this Indenture consent in writing of the registered holders of not less than Fifty-one per cent (51%) in principal amount of the Notes outstanding be given to the creation of additional corporate indebtedness, with or without lien, the Company will make provision for the immediate redemption of all Notes of this issue then outstanding, and will redeem all the Notes then outstanding in accordance with such provision.

9. The Company covenants and agrees that it will pay the Trustee reasonable remuneration for its services as Trustee hereunder and will repay to the Trustee on demand all moneys which shall have been paid by the Trustee for legal expenses or charges or any other expenditures whatever which the Trustee may reasonably incur in and about the execution of the trusts hereby created with interest thereon at Five per cent (5%) per annum from the date of expenditure until actual repayment and such moneys and interest thereon, including the Trustee's remuneration, until the termination of the trusts herein, shall be a first charge or lien upon any moneys coming into the possession of the Trustee or its successors in the trust hereunder and shall be payable out of such moneys in priority to any payments to the holders of the Notes.

10. No Note shall be issued or, if issued, shall be obligatory until it has been certified by or on behalf of the Trustee in substantially the form set out in the Schedule hereto or in some other form approved by the Trustee, and such certificate on any Note shall be conclusive evidence that it was duly issued under this Trust Indenture and is a valid obligation of the Company.

The certificate of the Trustee signed on the Notes issued hereunder shall not be construed as a representation or warranty by the Trustee as to the validity of the Notes, and the Trustee shall in no respect be liable or answerable for the use made of the Notes or any of them or the proceeds thereof.

11. In each and every of the following events, hereinafter called "events of default":

(a) If the Company makes default in payment of any interest due on the Notes or any of them and any such default shall have continued for a period of ten days.

(b) If the Company makes default in payment of the principal of any of the Notes.

(c) If a final order is made for the winding-up of the Company or any of its subsidiaries or a resolution passed for the winding-up of the Company, or if a final receiving order or an authorized assignment is made under the provisions of the Bankruptcy Act with respect to the Company or any of its subsidiaries.

(d) If any execution, sequestration, extent or other process of any court become enforceable upon any substantial part of the property of the Company or any of its subsidiaries and remain unsatisfied for a period of fifteen days, or if the Company permits or suffers the registration of any lien, privilege or charge of workmen, builders, contractors,

suppliers of materials or any other person or persons whomsoever upon or in respect of any substantial part of the real or immovable property of the Company or any of its subsidiaries; provided that acceleration as hereinafter provided shall not take place by reason of the registration of any such lien, privilege or charge if the Company or such subsidiary shall desire to contest the same and shall give security to the satisfaction of the Trustee for the due payment of the amount claimed in respect thereof in case it shall be held to be a valid lien, privilege or charge.

(e) If the Company shall neglect to carry out or observe any other covenant to which it is bound hereunder and such default shall continue for a period of thirty days after written notice specifying such default has been given to the Company by the Trustee.

(f) In the event of the reorganization of the capital structure of the Company or the merger or consolidation of the Company with any other corporation or the change in ownership of a majority of the outstanding shares of the Company for the time being entitled to vote at meetings of shareholders, or the making of any agreement therefor, in any manner which the registered holders of at least Fifty-one per cent (51%) in principal amount of the Notes for the time being outstanding shall certify that they consider affect their rights adversely, or in the event of the Company ceasing to carry on its business.

(g) If the Company or any of its subsidiaries shall sell any substantial part of its assets except in the ordinary course of its business as presently conducted, the Trustee may in its discretion and shall upon requisition in writing made by the registered holders of at least Fifty-one per cent (51%) in principal amount of the Notes for the time being outstanding declare the principal and interest of all the Notes then outstanding to be due and payable to the Trustee on demand, and the same shall forthwith become immediately due and payable to the Trustee on demand, and the Company shall, on such demand forthwith pay to the Trustee for the benefit of the registered holder or holders of Notes issued hereunder and then outstanding, the principal and interest then accrued upon all such Notes, and such payment when made shall be deemed to have been made in discharge of its obligations hereunder and under the Notes.

12. In the event of the happening of any event of default, the registered holders of not less than Fifty-one per cent (51%) in principal amount of the Notes for the time being outstanding shall have power by an instrument or instruments in writing to require the Trustee to waive the default and the Trustee shall thereupon waive the default upon such terms and conditions, if any, as such instrument may prescribe. So long as it has not made the declaration or become bound to make the declaration provided for in Section 11 hereof, the Trustee shall have power to waive any default, if, in its opinion, the same shall have been cured or adequate satisfaction made therefor, upon such terms and conditions as the Trustee may deem advisable.

13. Upon the happening of any event of default and after a declaration as provided in Section 11 hereof and upon requisition in writing made by the registered holders of at least Fifty-one per cent (51%) in

principal amount of the Notes for the time being outstanding and of an adequate and proper indemnification of the Trustee against the costs, expenses and liabilities to be by it incurred, it shall be the duty of the Trustee to proceed to enforce its rights and the rights of the Note holders under this Trust Indenture by such proceedings authorized by law as the Trustee shall, under such requisition, be directed to take and, if such requisition contains no such direction, or if the Trustee shall determine to act without any such requisition, the Trustee shall take such proceedings to enforce the said rights as it shall deem expedient.

Nothing contained in this Section 13 shall be deemed to prevent any registered holder of a Note from taking such proceedings at law as he may in his discretion determine for the enforcement of his rights under such Note if an event of default has occurred and the Trustee has not made or become bound to make the declaration provided for in Section 11 hereof and such event of default has not been waived pursuant to the provisions of Section 12 hereof.

14. All moneys from time to time in the hands of the Trustee available for such purposes shall be applied in the first place to pay or reimburse to the trustee the costs, charges, expenses, advances and remuneration of the Trustee in or about the execution of its trust or otherwise in relation to these presents with interest thereon as herein provided and the residue of said moneys shall be applied:

(a) In or toward payment of the principal and unpaid interest and interest on overdue interest of the Notes in such order of priority as between principal and interest either first in payment of principal and thereafter in payment of interest or first in payment of interest or ratably and proportionately and without any preference or priority between principal and interest as may be directed in writing by the holders of not less than Fifty-one per cent (51%) in principal amount of the Notes for the time being outstanding or, in default of any such direction, first in payment of the principal of the Notes for the time being outstanding and thereafter in payment of the accrued and unpaid interest and interest on overdue interest on said Notes; provided that no payment shall be made on any interest the time of payment of which has been extended whether by purchase or funding or otherwise, until the prior payment in full of all other interest and of the principal of the Notes, and

(b) The surplus, if any, of such moneys shall be paid to the Company or its assigns.

15. Each of the Notes issued hereunder shall be registered at the time of issue in the name of the person to whom the same is issued upon a register to be kept by the Trustee in which register shall be noted the name of the registered holder and his address and the number of the Note or Notes issued to him and the amount thereof and the date of registration. Every such registration and the date thereof shall be certified on the Note in the place provided for such purpose. No transfer of the said Note shall be valid except when made by the registered holder or by his executors, administrators or other legal

representatives or by his or their attorney, duly appointed in writing in form satisfactory to the Trustee, upon the said register, in which case the name and address of the transferee shall be entered on the said register as the owner of the said Note and his name and date of registration shall be certified by the Trustee on the said Note. From and after such transfer, registration and certification thereof, the transferee shall be deemed to be the registered holder of the said Note.

16. All notices to be given to registered holders of the Notes shall be deemed to be validly given if sent by registered post addressed to such Note holders at their respective last addresses as shown on the said register provided for the registration of the Notes. All notices to or demands upon the Company shall be deemed to be validly given or made if sent by registered post addressed to the Company at Hamilton. Any notice or demand so sent shall be deemed to have been validly given at the expiration of two days after it is posted as aforesaid.

17. The registered holder for the time being of any Note shall be deemed to be and be regarded as the owner thereof for all purposes and shall be entitled to the principal moneys represented by such Note and the interest thereon free from any equities or rights of set off or counter claim between the Company and the original or any intermediate holders thereof, and all persons may act accordingly and the receipt by any such registered holder for any such principal moneys or interest or the surrender of such Note to the Trustee or the Company shall be a good discharge to the Company for the same and the Company shall not be bound to inquire into the title of any such registered holder nor be affected by notice of any equity that may be subsisting in respect thereof nor be bound to see to the execution of any trust affecting the ownership of any Note nor be affected by any notice of any such trust.

18. As regards any request, requirement, requisition, direction or consent to be made or given by the holder of any Note or Notes the Trustee may treat the registered holder of such Note or Notes as the owner of the same without the actual production of the said Note or Notes.

19. If any Note shall be lost, mutilated or destroyed, the Company may, on such proof as to such loss, mutilation or destruction as may be satisfactory to it in its discretion, and on such terms as to indemnity or otherwise as it in its discretion may impose, cause to be issued a new Note of like tenor and amount and bearing the same date as the lost, mutilated or destroyed Note in exchange for and upon cancellation of the mutilated Note or in substitution of the same if lost or destroyed.

20. It is expressly declared and agreed as follows:—

(a) The Trustee shall not be required to give security for its conduct or administration and shall not be responsible other than as a trustee, and shall not be bound to do, observe or perform, or to see to the observance or performance by the Company of any of the obligations hereby imposed until the Trustee has been required by

the registered holder or holders of the Note or Notes to enforce the same as provided herein and is kept supplied with money reasonably necessary to enable the Trustee to take the required action, and with sufficient security to indemnify, protect and hold harmless the Trustee against loss and damage by reason thereof.

(b) The Trustee, and any trustee hereafter appointed, may at any time resign by giving three (3) months' notice to the Company, or such shorter notice as the Company may be willing to accept, and the Company may at any time appoint in writing a new trustee in the place of any trustee so resigning. It is agreed that such new Trustee shall in every case be a responsible trust company duly authorized to do business in the Province of Ontario.

21. By way of supplement to the provisions of any Act for the time being relating to trustees, it is expressly declared and agreed as follows, that is to say:—

(a) The Trustee shall not be liable for or by reason of the statements of facts or recitals in these presents or in the Notes contained or required to verify the same; but all such statements and recitals are and shall be deemed to have been made by the Company only, and it shall not be the duty of the Trustee, and nothing herein contained shall in anywise cast any obligation upon the Trustee to procure any further, other or additional instrument; or to keep itself informed or advised as to the payment by the Company of any taxes, insurance premiums or assessments which the Company should make or to require such payments to be made; it being hereby agreed and declared that as to all matters and things in this sub-clause referred to the duty and responsibility, if any, shall rest upon the Company and not upon the Trustee and the failure of the Company to discharge such duty and responsibility shall not in any way render the Trustee liable or cast upon it any duty or responsibility for breach of which it would be liable;

(b) The Trustee shall be answerable only for its own acts, receipts, neglects and defaults;

(c) The Trustee shall not be responsible for the execution or validity of these presents, or be bound to ascertain or enquire as to the performance or observance of any of the covenants or agreements to be performed by the Company, but the Trustee may require the Company to keep it fully informed and advised as to the performance of the covenants and agreements aforesaid.

22. Words importing the singular number only shall include the plural and vice versa, and words importing the masculine gender shall include the feminine, and words importing persons shall include firms and corporations, and vice versa. "Trustee" means the Party of the Second Part hereto or other the trustee for the time being of this Trust Indenture.

The Trustee, the party hereto of the Second Part, hereby accepts the trusts in this Trust Indenture declared and provided for and agrees to perform the same upon the terms and conditions hereinbefore set forth.

IN WITNESS WHEREOF this Trust Indenture has been duly executed by the parties hereto under their respective corporate seals.

THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY

(sgd.) H. T. Malcolmson

(C.S.)
President

Attest:

(sgd.) J. M. O'Mahoney

Secretary

THE ROYAL TRUST COMPANY, Trustee

(sgd.) C. B. McNair

(C.S.)
Manager of Hamilton Branch

(sgd.) J. W. Bayne

Secretary of Hamilton Branch

First Schedule to the foregoing Trust Indenture.

(Form of Note)

DOMINION OF CANADA

PROVINCE OF ONTARIO

THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY.

(Declared by special Act of the Dominion of Canada
to be for the general advantage of Canada and
subject to the Railway Act).

No. _____

\$ _____

THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY (hereinafter called "the Company") for value received promises to pay to the registered holder hereof on 1st day of November 19 , or on such earlier date as the principal moneys become payable in accordance with the provisions of the Trust Indenture hereinafter mentioned in lawful money of Canada at the principal office of the Bank of Montreal in the City of Hamilton, and to pay interest thereon from the day of 19 , at the rate of Two and three-quarters per centum ($2\frac{3}{4}\%$) per annum on the 1st days of May and November in each year as provided in the said Trust Indenture.

This Note is one of a duly authorized issue of Notes of the Company of an aggregate principal amount of Two Million dollars (\$2,000,000) (hereinafter called the "Notes") issued and to be issued under a Trust Indenture (hereinafter called the "Trust Indenture") bearing formal date as of the 1st day of November, 1946, executed by the Company with The Royal Trust Company as Trustee (hereinafter called the "Trustee"), to which Trust Indenture and all deeds and other instruments which may be made supplemental thereto reference is hereby made for a specification of the rights, remedies and limitations of rights of the registered holders of the Notes and of the Trustee, to all the provisions of which the holder by acceptance hereof assents.

The issue of which this Note forms part is composed of:—

\$2,000,000 principal amount of Notes bearing interest at the rate of Two and three-quarters per cent ($2\frac{3}{4}\%$) per annum of which—

\$200,000 matures on November 1st, 1947.
 \$200,000 matures on November 1st, 1948.
 \$200,000 matures on November 1st, 1949.
 \$200,000 matures on November 1st, 1950.
 \$200,000 matures on November 1st, 1951.
 \$200,000 matures on November 1st, 1952.
 \$200,000 matures on November 1st, 1953.
 \$200,000 matures on November 1st, 1954.
 \$200,000 matures on November 1st, 1955.
 \$200,000 matures on November 1st, 1956.

Neither the property, business nor undertaking of the Company shall be subject to any special charge as security for the payment of the Notes. The Company has in the Trust Indenture entered into covenants with the Trustee for the benefit of the Trustee and the registered holders of the Notes.

This Note must be registered as to both principal and interest in accordance with and subject to the terms and conditions contained in the Trust Indenture.

The Company has the right at any interest payment date prior to the maturity above stated of the said Notes to prepay at its option all or any part of the Notes which may be then still outstanding in the amount of Two Hundred Thousand dollars (\$200,000) or in multiples thereof, provided that all interest in respect of the Notes shall have been paid to the date of such prepayment and upon payment of a premium of $\frac{1}{8}\%$ per annum for each year or part thereof, of the unexpired portion of the term of the Notes, providing that any Notes so prepaid shall be in reverse order of maturity.

In event of the happening of any event of default, as defined in the Trust Indenture, the principal and interest of all Notes then outstanding may be declared due and payable, upon the conditions and in the manner and with the effect provided for in the Trust Indenture.

This Note shall not become obligatory for any purpose until it shall have been certified by or on behalf of the Trustee for the time being under the Trust Indenture.

IN WITNESS WHEREOF THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY has caused this Note to be sealed with its corporate seal, and to be signed by its President or Vice-President, and countersigned by its Secretary or Treasurer, as of the 1st day of November, 1946.

THE TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY

(C.S.)
President

Countersigned:

Secretary.

(Form of Trustee's Certificate).

This Note maturing 1st November, 19 is one of the Two and three-quarters per centum ($2\frac{3}{4}\%$) Notes issued under the Trust Indenture within mentioned.

THE ROYAL TRUST COMPANY, Trustee

By.....
Certifying Officer.

(Form of Registration)

(No writing hereon except by Trustee)

Date of Registry	Whose name registered	Signature of Trustee

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 82.

An Act to incorporate Commonwealth Insurance Company.

[Assented to 17th July, 1947.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth and it is expedient to grant the prayer of the petition:
Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts as
follows:—

1. Lionel D. M. Baxter, financial broker, David A. B. Incorporation.
Murray, chartered accountant, Edward A. Nanton, broker,
Gordon P. Osler, broker, and Harold G. Tucker, insurance
manager, all of the city of Winnipeg, in the province of
Manitoba, together with such persons as become share-
holders in the company, are incorporated under the name
of “Commonwealth Insurance Company” hereinafter called Corporate
“the Company”. name.

2. The persons named in section one of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be five hundred Capital
thousand dollars, divided into five thousand shares of one stock.
hundred dollars each, provided always that the Company
may by by-law increase its capital stock to a sum not
exceeding one million dollars.

4. The amount to be subscribed before the general Subscription
meeting for the election of directors is called shall be two before
hundred and fifty thousand dollars. general
meeting.

5. The head office of the Company shall be in the city Head
of Winnipeg, in the province of Manitoba. office.

Classes of
insurance
authorized.

6. The Company may make contracts of insurance for all or any of the following classes of insurance:

- (a) fire insurance;
- (b) accident insurance;
- (c) aircraft insurance;
- (d) automobile insurance;
- (e) boiler insurance;
- (f) credit insurance;
- (g) earthquake insurance;
- (h) explosion insurance;
- (i) falling aircraft insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact of vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) marine insurance;
- (q) personal property insurance;
- (r) plate glass insurance;
- (s) real property insurance;
- (t) sickness insurance;
- (u) sprinkler leakage insurance;
- (v) theft insurance;
- (w) weather insurance;
- (x) windstorm insurance.

Subscription
and payment
of capital
before com-
mencing
business.

7. (1) The Company shall not commence any business of insurance until at least two hundred and fifty thousand dollars of its capital stock has been bona fide subscribed and at least one hundred thousand dollars paid thereon. It may then transact the business of fire insurance, falling aircraft insurance, earthquake insurance, limited or inherent explosion insurance, civil commotion insurance, sprinkler leakage insurance, windstorm insurance, impact by vehicles insurance, and insurance against loss of, or damage to, property other than crops caused by hail.

Additional
amount for
certain
classes of
business.

(2) The Company shall not commence any of the other classes of business authorized by section six of this Act until the paid capital, or the paid capital together with the surplus has been increased by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say: for accident insurance the said increase shall not be less than forty thousand dollars; for aircraft insurance, not less than twenty thousand dollars; for automobile insurance, not less than twenty thousand dollars; for boiler insurance, not less than forty thousand dollars; for credit insurance, not less than twenty thousand dollars; for forgery insurance, not less than twenty thousand dollars; for guarantee insurance, not

less than fifty thousand dollars; for hail insurance, not less than twenty-five thousand dollars; for inland transportation insurance, not less than ten thousand dollars; for live stock insurance, not less than twenty thousand dollars; for marine insurance, not less than fifty thousand dollars; for personal property insurance, not less than ten thousand dollars; for plate glass insurance, not less than ten thousand dollars; for real property insurance, not less than twenty thousand dollars; for sickness insurance, not less than ten thousand dollars; for theft insurance, not less than twenty thousand dollars; for weather insurance, not less than ten thousand dollars.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

Periodic
increase of
paid
capital and
surplus.

(4) Notwithstanding anything to the contrary contained in this section the Company may transact all or any of the classes of insurance business authorized by section six of this Act when the amount of capital subscribed amounts to at least five hundred thousand dollars and the amount paid on its subscribed capital, together with the surplus, amounts to at least five hundred thousand dollars.

When
company
may
transact
any or all
classes of
insurance
business.

(5) In this section the word "surplus" means excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

"Surplus"
defined.

8. *The Canadian and British Insurance Companies Act, 1932*, c. 46, shall apply to the Company.

1932, c. 46.
to apply.

11 GEORGE VI.

CHAP. 83.

An Act to incorporate Federation Insurance Company of Canada.

[Assented to 17th July, 1947.]

WHEREAS the persons hereinafter named have by Preamble.
their petition prayed that it be enacted as hereinafter
set forth and it is expedient to grant the prayer of the
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. Jacques Le Caruyer de Beauvais, of the city of Paris, Incor-
poration.
in the Republic of France, insurance executive, Herbert
J. O'Connell, general contractor, and Paul-Emile Tremblay,
insurance broker, both of the city of Montreal, in the
province of Quebec, together with such persons as become
shareholders in the Company, are incorporated under the
name "Federation Insurance Company of Canada", and in
French, "La Fédération Compagnie d'Assurances du
Canada", hereinafter called "the Company".

2. The persons named in section one of this Act shall Provisional
directors.
be the provisional directors of the Company.

3. The capital stock of the Company shall be one Capital stock.
million dollars, divided into shares of one hundred dollars
each.

4. The amount to be subscribed before the general Subscription
before general
meeting.
meeting is called for the election of directors shall be five
hundred thousand dollars.

5. The head office of the Company shall be in the city Head office.
of Montreal, in the province of Quebec.

Classes of
insurance
authorized.

6. The Company may undertake, transact and make contracts of insurance for all or any of the following classes of insurance:

- (a) fire insurance;
- (b) accident insurance;
- (c) aircraft insurance;
- (d) automobile insurance;
- (e) boiler insurance;
- (f) credit insurance;
- (g) earthquake insurance;
- (h) explosion insurance;
- (i) falling aircraft insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) marine insurance;
- (q) personal property insurance;
- (r) plate glass insurance;
- (s) real property insurance;
- (t) sickness insurance;
- (u) sprinkler leakage insurance;
- (v) theft insurance;
- (w) weather insurance;
- (x) water damage insurance;
- (y) windstorm insurance.

Subscription
and payment
of capital
before
commencing
business.

7. (1) The Company shall not commence any business of insurance until at least five hundred thousand dollars of its capital stock has been bona fide subscribed and at least two hundred thousand dollars paid thereon together with a contribution to surplus of one hundred thousand dollars. It may then transact the business of fire insurance, accident insurance, automobile insurance, boiler insurance, earthquake insurance, explosion insurance, falling aircraft insurance, guarantee insurance, insurance against loss of, or damage to, property other than crops caused by hail; insurance against loss of, or damage to, property by impact by vehicles, inland transportation insurance, plate glass insurance, sprinkler leakage insurance, sickness insurance, theft insurance, water damage insurance and windstorm insurance.

Additional
amounts for
certain
classes of
business.

(2) The Company shall not commence any of the other classes of business authorized by section six of this Act until the paid capital or the paid capital together with the surplus has been increased by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say: for aircraft insurance

the said increase shall not be less than twenty thousand dollars; for credit insurance, not less than twenty thousand dollars; for forgery insurance, not less than twenty thousand dollars; for hail insurance, not less than twenty-five thousand dollars; for live stock insurance, not less than twenty thousand dollars; for marine insurance, not less than fifty thousand dollars; for personal property insurance, not less than ten thousand dollars; for real property insurance, not less than ten thousand dollars; for weather insurance, not less than ten thousand dollars.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

Periodic increase of paid capital and surplus.

(4) Notwithstanding anything to the contrary contained in this section, the Company may transact all or any of the classes of insurance business authorized by section six of this Act when the subscribed capital amounts to at least five hundred thousand dollars and the paid capital together with the surplus amounts to at least five hundred thousand dollars.

When Company may transact any or all classes of insurance business.

(5) In this section the word "surplus" means excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

"Surplus" defined.

8. (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property within Canada, and may assume the obligations and liabilities within Canada of "La Foncière, Compagnie d'Assurances Mobilières et Immobilières à primes fixes", having its head office at No. 26, Le Peletier Street, Paris, France, hereinafter called "La Foncière", and in the event of such acquisition and assumption the Company shall perform and discharge all such duties, obligations and liabilities of La Foncière in respect to the rights and property acquired as are not performed and discharged by La Foncière.

Power to acquire rights, etc. of a certain insurance company.

Duties in such event.

(2) No agreement between the Company and La Foncière providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

Approval of Treasury Board.

Coming into
force.

9. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*.

1932, c. 46,
to apply.

10. *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Company.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 84.

An Act to incorporate The Limitholders' Mutual Insurance Company.

[Assented to 17th July, 1947.]

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. George Henry Bridge, company executive, William Gilchrist Wright, forest engineer, and Charles Arthur Cannon, one of His Majesty's Counsel, all of the city of Quebec, province of Quebec, and William Lindsay Veit, company executive, of Sayabec, province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Limitholders' Mutual Insurance Company", hereinafter called "the Company".

Incorporation.

2. The persons named in section one of this Act shall be the provisional directors of the Company.

Provisional directors.

3. The capital stock of the Company shall be one million dollars.

Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars.

Subscription before general meeting

5. The Company shall not commence business until at least five hundred thousand dollars of its capital stock has been subscribed and at least two hundred thousand dollars paid thereon.

Head
office

6. The head office of the Company shall be in the city of Quebec, in the province of Quebec.

Class of
insurance
authorized

7. The Company may make contracts of fire insurance.

Persons
entitled to
subscribe
to the
capital
stock.

8. (1) With the exception of individual shareholders elected as members of the board of directors of the Company, no person shall be entitled to subscribe to the capital stock, or to become a shareholder, of the Company unless he has applied for a policy of insurance of the Company covering the insurance of standing timber against loss or damage by fire.

Subscription
may be
cancelled
in certain
circum-
stances.

(2) If any subscriber to the capital stock of the Company does not accept a policy of insurance of the Company issued on the application therefor made prior to his subscription to the said capital stock and pay in cash the premium on such policy within one month after the date of issue thereof, the said subscription may be cancelled by the Company and any amount paid on the shares so subscribed for shall on such cancellation be refunded.

Transfer of
shares of
capital
stock of
share-
holder
who ceases
to be
insured by
this
Company.

(3) If any shareholder insured by the Company ceases to be so insured, the shares of the capital stock of the Company held by him may be transferred by the Company to any other subscriber to the said capital stock nominated by the Company for that purpose on payment by the said subscriber to the said shareholder of such an amount per share as the Company may from time to time by by-law fix as the value of each share when transferred under the provisions of this section: Provided that such value per share shall not be less than the book value of the said share at the end of the calendar year next preceding the date of transfer.

Proviso.

Corporation
shareholders.

9. If any shareholder of the Company is a corporation, such corporation may by resolution of its directors or other governing body authorize such officer of the corporation as it thinks fit to act as its representative at any meeting of the shareholders of the Company and such officer, so authorized, shall be entitled to the same rights, may be elected to the same offices and may exercise the same powers as the rights to which this corporation would be entitled, the offices to which it could be elected and the powers that it could exercise if it were an individual shareholder.

Subscription
may be
paid by
instalments.

10. The shares of the capital stock of the Company subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed fifty per cent. and no subsequent instalment shall exceed ten per cent., and not less than thirty days' notice of any call shall be given.

11. The liability of the Company in respect of its policies insuring standing timber unexpired on the thirty-first day of December in any year and which are due to expire within twelve months thereafter shall for the purpose of the annual statement made under the provisions of *The Canadian and British Insurance Companies Act, 1932*, for the said year, be eighty per cent. of the amount of the net premiums on the insurance in force under the said policies on the said date.

Liability
of the
company
in respect
to its time
expired
policies.

12. Except in so far as it is inconsistent with the provisions of this Act, *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Company.

1932, c. 46,
to apply.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.;
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 85.

An Act to incorporate Progressive Insurance Company of Canada.

[Assented to 17th July, 1947.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Anselmie Samoisette, insurance executive, Wilfrid Incorporation.
Gagnon, manufacturer, both of the city of Outremont, J. Bruce Brown, manufacturer, of the city of Westmount, Renault St-Laurent, advocate, Paul Henri Bouffard, advocate, both of the city of Quebec, all in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of “Progressive Insurance Company of Canada”, and in the French language “La Progressive Compagnie d’Assurances du Canada”, hereinafter called “the Company”.

2. The persons named in section one of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be one million Capital stock.
dollars.

4. The amount to be subscribed before the general Subscription before general meeting.
meeting for the election of directors is called shall be one hundred thousand dollars.

5. The head office of the Company shall be in the city Head office.
of Montreal in the province of Quebec.

6. The Company may undertake, transact and make Classes of insurance authorized.
contracts of insurance for all or any of the following classes of insurance:—

- (a) fire insurance;
- (b) accident insurance;
- (c) aircraft insurance;
- (d) automobile insurance;
- (e) boiler insurance;
- (f) credit insurance;
- (g) earthquake insurance;
- (h) explosion insurance;
- (i) falling aircraft insurance;
- (j) forgery insurance;
- (k) guarantee insurance;
- (l) hail insurance;
- (m) impact by vehicles insurance;
- (n) inland transportation insurance;
- (o) live stock insurance;
- (p) machinery insurance;
- (q) marine insurance;
- (r) personal property insurance;
- (s) plate glass insurance;
- (t) real property insurance;
- (u) sickness insurance;
- (v) sprinkler leakage insurance;
- (w) theft insurance;
- (x) water damage insurance;
- (y) weather insurance;
- (z) windstorm insurance.

Subscription
and payment
of capital
before
commencing
business.

7. (1) The Company shall not commence any business of insurance until at least two hundred and fifty thousand dollars of its capital stock has been bona fide subscribed and at least that amount paid thereon. It may then transact the business of fire insurance, accident insurance, automobile insurance, guarantee insurance, inland transportation insurance, personal property insurance, theft insurance, and, in addition thereto, civil commotion insurance, earthquake insurance, limited or inherent explosion insurance, falling aircraft insurance, impact by vehicles insurance, limited hail insurance, sprinkler leakage insurance, weather insurance, water damage insurance, windstorm insurance, limited to the insurance of the same property as is insured under a policy of fire insurance of the Company.

Additional
amounts for
certain
classes of
business.

(2) The Company shall not commence any of the other classes of business authorized by section six of this Act until the paid capital, or the paid capital together with the surplus, has been increased by an amount or amounts depending upon the nature of the additional class or classes of business as follows, that is to say:—for aircraft insurance the said increase shall not be less than twenty thousand dollars; for boiler insurance, excluding machinery, not less than twenty thousand dollars; for civil commotion

insurance, not less than five thousand dollars; for credit insurance, not less than twenty thousand dollars; for earthquake insurance, not less than ten thousand dollars; for explosion insurance, not less than twenty thousand dollars; for falling aircraft insurance, not less than ten thousand dollars; for forgery insurance, not less than twenty thousand dollars; for hail insurance, not less than twenty-five thousand dollars; for impact by vehicles insurance, not less than five thousand dollars; for live stock insurance, not less than twenty thousand dollars; for machinery insurance, not less than twenty thousand dollars; for marine insurance, not less than fifty thousand dollars; for plate glass insurance, not less than ten thousand dollars; for real property insurance, not less than ten thousand dollars; for sickness insurance, not less than ten thousand dollars; for sprinkler leakage insurance, not less than ten thousand dollars; for water damage insurance, not less than ten thousand dollars; for weather insurance, not less than ten thousand dollars; for windstorm insurance, not less than twenty-five thousand dollars.

(3) The Company shall, during the five years next after the date of its being registered for the transaction of fire insurance, increase its paid capital and surplus so that at the end of the first year it will be at least fifteen thousand dollars more than is required under the foregoing subsections of this section, and at the end of the second year at least thirty thousand dollars more than so required, and at the end of the third year at least forty-five thousand dollars more than so required, and at the end of the fourth year at least sixty thousand dollars more than so required, and at the end of the fifth year at least seventy-five thousand dollars more than so required.

Increase capital and surplus after registration for fire insurance.

(4) Notwithstanding anything to the contrary contained in this section the Company may transact all or any of the classes of insurance business authorized by section six of this Act when the paid capital amounts to at least two hundred and fifty thousand dollars and the paid capital together with the surplus amounts to at least five hundred thousand dollars.

When Company may transact any or all classes of insurance business.

(5) In this section the word "surplus" means excess of assets over liabilities, including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

"surplus" defined.

8. The *Canadian and British Insurance Companies Act, 1932*, shall apply to the Company.

1932, c. 46, to apply.

11 GEORGE VI.

CHAP. 86.

An Act respecting British Columbia Telephone Company.

[Assented to 14th May, 1947.]

WHEREAS British Columbia Telephone Company was duly incorporated by chapter sixty-six of the statutes of 1916, under the name of "Western Canada Telephone Company", which name has been changed to that of "British Columbia Telephone Company", pursuant to the provisions of section fifteen of the said Act; and Preamble.
1916, c. 66.

WHEREAS by chapter thirty-six of the statutes of 1940-41 the said Act of incorporation was amended to authorize British Columbia Telephone Company, hereinafter called "the Company", to increase its capital stock from ten million dollars to not exceeding eleven million dollars, and in other respects; and 1940-41, c. 36.

WHEREAS the said Company has presented a petition praying that the said incorporating Act and the said amending Act be further amended to authorize the said Company to increase its capital stock and be further empowered as hereinafter set forth, and it is expedient to grant the prayer of the petition:

THEREFORE His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section six of chapter sixty-six of the statutes of 1916, as amended by section three of chapter thirty-six of the statutes of 1940-41, is repealed and the following substituted therefor:—

"6. (1) The capital stock of the Company may be increased from time to time by such amounts as the directors consider requisite for the due carrying out of the objects of the Company, such increase to be effected by resolution of the directors by and with the consent of a majority of two-thirds in value of the ordinary shareholders present or represented by proxy at any annual general meeting or at any special general meeting of the ordinary shareholders Capital stock.

Proviso.

called for that purpose: Provided that the total capital stock of the Company, including the present authorized stock, shall not exceed twenty-five million dollars.

Disposition
of capital
stock subject
to approval
of Board of
Transport
Commission-
ers.

(2) The Company shall not have power to make any issue, sale or other disposition of its capital stock or any part thereof, without first obtaining the approval of the Board of Transport Commissioners for Canada of the amount, terms or conditions of such issue, sale or other disposition of such capital stock."

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 87.

An Act respecting The Canada Permanent Trust Company.

[Assented to 17th July, 1947.]

WHEREAS The Canada Permanent Trust Company, a Preamble.
1913, c. 87 company incorporated by chapter eighty-seven of the statutes of 1913, has prayed by its petition that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section three of chapter eighty-seven of the statutes of 1913 is repealed and the following substituted therefor:

“3. The capital stock of the Company shall be five million dollars, divided into fifty thousand shares of one hundred dollars each.” Capital
stock

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11 GEORGE VI.

CHAP. 88.

An Act to incorporate Canadian Nurses' Association.

[Assented to 27th June, 1947.]

WHEREAS the persons hereinafter named, on behalf of Preamble.
the unincorporated association known as "Canadian Nurses' Association", have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Rae Chittick, of Calgary, in the province of Alberta, Fanny Munroe and Eileen Flanagan, both of Montreal, in the province of Quebec, Ethel Cryderman, of Toronto, in the province of Ontario, Evelyn Mallory and Reverend Sister Columkille, both of Vancouver, in the province of British Columbia, Lillian Pettigrew, of Winnipeg, in the province of Manitoba, Reverend Sister Delia Clermont, of St. Boniface, in the province of Manitoba, Agnes Macleod, of Ottawa, in the province of Ontario, and Reverend Sister St. Gertrude, of Quebec, in the province of Quebec, and all other members of the said unincorporated association, together with such other persons as are or become members of the Association are hereby constituted a corporation under the name of "Canadian Nurses' Association" hereinafter called "the Association" Incorporation.
Corporate name.

2. The head office of the Association shall be at the city of Montreal, in the province of Quebec, or at such other place as the Association may determine by by-law from time to time. Head office.

3. The objects of the Association shall be: Objects.
(a) to dignify the profession of nursing by maintaining and improving the ethical and professional standards of nursing education and service;

- (b) to encourage its members to participate in affairs promoting the public welfare;
- (c) to promote the best interests of the nurses of Canada and to maintain national unity among them;
- (d) to encourage an attitude of mutual understanding with the nurses of other countries; and
- (e) such other lawful acts and things as are incidental or conducive to the attainment of the above objects.

Membership

4. The membership in the Association shall be divided into the following classes:

- (a) honorary members;
- (b) association members;
- (c) ordinary members; and
- (d) any other class or classes of members which the Association may establish by by-law from time to time.

Honorary members.

5. Honorary membership shall be conferred only upon a person who has rendered distinguished service in or for the nursing profession or whom it is desired to honour for outstanding public service.

Association members.

6. The following associations or their respective successors and assigns shall be association members:

- (a) The Alberta Association of Registered Nurses;
- (b) Registered Nurses' Association of British Columbia;
- (c) The Manitoba Association of Registered Nurses;
- (d) The New Brunswick Association of Registered Nurses;
- (e) The Registered Nurses' Association of Nova Scotia;
- (f) Registered Nurses Association of Ontario;
- (g) The Association of Nurses of the Province of Quebec;
- (h) The Registered Nurses' Association of Prince Edward Island; and
- (i) The Saskatchewan Registered Nurses' Association.

Ordinary members

7. Any nurse who is a duly qualified member in good standing of any of the associations mentioned in the preceding section shall be an ordinary member of the Association.

Executive committee.

8. The affairs of the Association shall be managed by an executive committee which shall be composed, elected or appointed as the Association may prescribe by by-law from time to time, and which shall have the powers set out in the by-laws of the Association.

By-laws and regulations.

9. The Association may enact, amend and repeal by-laws and regulations for any and all purposes of the Association not inconsistent with the provisions of this Act: Provided

Proviso.

always such by-laws shall contain provision for the election or appointment to the executive committee of members chosen from the nursing sisterhoods from among the ordinary members. Without limiting the generality of the foregoing, the Association shall have power to define and regulate:

- (a) the terms and conditions of membership in the Association and the rights, duties and privileges of members including their voting rights;
- (b) the number, powers and duties of the officers of the Association and the constitution, powers, duties, quorum, term of office and method of election of the executive committee and all other committees of the Association;
- (c) the time and place for holding general or special meetings of the Association and the notice and other requirements thereof, except that general meetings of the Association shall be held only in every second year unless the Association otherwise decides;
- (d) the amount of the fees, assessments and dues payable by the members; and
- (e) the administration and management of the business and affairs of the Association and the furthering of its objects and purposes.

10. In addition to the general powers accorded to it by law, the Association shall have power:

- (a) to purchase, take on lease or in exchange, hire and otherwise acquire by gift, grant, legacy, devise or otherwise, and to own and hold any estate, property or rights, real or personal, movable or immovable, or any title or interest therein, and to sell, exchange, alienate, manage, develop, mortgage, hypothecate, lease or otherwise deal therewith as it may deem advisable for the purposes of the Association; Additional powers.
- (b) to borrow money for the purposes of the Association;
- (c) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;
- (d) to own, operate, print, publish and distribute journals, periodicals and publications for the professional advancement of the members of the Association, including but without limiting the generality of the foregoing the journal known as "The Canadian Nurse", and to own, hold, acquire, sell, dispose of and otherwise deal with the shares of any company which may own, operate, print, publish and distribute "The Canadian Nurse" or any other such journal, periodical or publication, and in connection therewith to lend money to, to guarantee the contracts of, or otherwise

assist any company, society, firm, committee, persons or person, which may be charged with the duty of owning, operating, printing, publishing or distributing "The Canadian Nurse" or such journal, periodical or publication;

(e) to establish and support or aid in the establishment and support of associations, institutions, funds, trusts and conveniences calculated to benefit nurses and the nursing profession in any way, and to subscribe or guarantee money for charitable or benevolent objects or for any exhibition or for any public, general or useful object;

(f) to invest and deal with the moneys of the Association not immediately required, in such manner as may be determined from time to time; and

(g) to do all such lawful acts and things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

Tenure of
present
officers and
committees

11. (1) The present officers of the unincorporated association, the members of the executive committee and of the committees appointed under the provisions of the constitution and by-laws of the Association existing prior to the enactment of this Act shall continue to hold office until their successors have been appointed or elected in accordance with the provisions of this Act and of the by-laws made hereunder.

(2) All sections formed under Article VI of the by-laws of the unincorporated association shall cease to exist upon the enactment of this Act.

Existing
constitution,
by-laws and
rules
continued
until
changed.

12. The existing constitution, by-laws and rules of the unincorporated association in so far as they are not contrary to law or to the provisions of this Act, shall be the constitution, by-laws and rules of the Association until amended or repealed at a general meeting of the Association.

First
general
meeting.

13. The first general meeting of the Association shall be held during the year one thousand nine hundred and forty-eight at such time and place as the present executive committee of the Association may determine.

Seal.

14. The Association may adopt and use a corporate seal in such form as may be deemed expedient.

Emblems.

15. The Association shall have the sole and exclusive right to have and use any emblem, badge, decoration, descriptive or designing mark and title hereafter adopted by the Association for carrying out its purposes: Provided that a statement and description of such emblem, badge, decoration, descriptive or designing mark, words or phrases,

Proviso.

are filed with and approved by the Secretary of State or other Minister administering the *Unfair Competition Act*, 1932, c. 38. 1932.

16. The corporation created by this Act is vested with ^{Substitution.} all the rights and assumes all the obligations of the former unincorporated association known as "Canadian Nurses' Association".

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11 GEORGE VI.

CHAP. 89.

An Act to amend the Act incorporating The Canadian Council of The Girl Guides Association.

[Assented to 27th June, 1947.]

WHEREAS The Canadian Council of The Girl Guides Association, a corporation incorporated by chapter seventy-seven of the statutes of 1917, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble
1917, c. 77.

1. Section eight of chapter seventy-seven of the statutes of 1917 is repealed and the following substituted therefor:

"S. The Corporation may receive, acquire, accept, and hold real or immovable property, by grant, gift, purchase, devise, legacy, lease or otherwise, for the purposes of the Corporation; and may sell, lease, dispose of, mortgage, invest, or otherwise deal therewith in such manner as it may from time to time deem advisable for such purposes: Provided, however, that the annual value of the real estate held by the Corporation shall not at any time exceed the sum of two hundred and fifty thousand dollars."

Property.

Limitation
as to
real estate.

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11 GEORGE VI.

CHAP. 90.

An Act respecting Guaranty Trust Company of Canada.

[Assented to 14th May, 1947.]

WHEREAS Guaranty Trust Company of Canada, a Preamble.
company incorporated by chapter sixty-five of the 1925, c. 65.
statutes of 1925, has prayed by its petition that it be
enacted as hereinafter set forth, and it is expedient to
grant the prayer of the petition: Therefore His Majesty,
by and with the advice and consent of the Senate and
House of Commons of Canada, enacts as follows:—

1. Section three of chapter sixty-five of the statutes of
1925 is repealed and the following substituted therefor:

“**3.** The capital stock of the Company shall be one Capital
stock.
million dollars.”

2. Section four of chapter sixty-five of the statutes of
1925 is repealed and the following substituted therefor:

“**4.** The head office of the Company shall be in the city Head office.
of Toronto, in the province of Ontario.”

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11 GEORGE VI.

CHAP. 91.

An Act to incorporate Conference of Mennonites
in Canada.

[Assented to 14th May, 1947.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Jacob J. Thiessen, of Saskatoon, in the province of Saskatchewan, Jacob Gerbrandt and John G. Rempel, both of Rosthern, in the province of Saskatchewan, clergymen, together with such congregations of Mennonites in Canada as become corporate members of the religious body hereby incorporated, are constituted a body politic and corporate, under the name of "Conference of Mennonites in Canada" hereinafter called "the Corporation". Incorporation.

Corporate name.

2. The persons named in section one of this Act shall be the first directors of the Corporation and shall, respectively, be President, Vice President and Secretary Treasurer thereof and shall hold office until their successors are appointed. Directors.

3. (1) The head office of the Corporation shall be at Rosthern, in the province of Saskatchewan, or at such other place in Canada as may be decided by the Corporation. Head office.

(2) Notice in writing shall be given to the Secretary of State by the Corporation concerning any change of the head office and a copy of such notice shall be published forthwith in the *Canada Gazette*. Notice of change.

Objects.

- 4.** The objects of the Corporation shall be to,
- (a) admit as a corporate member of such Corporation any congregation of Mennonites in Canada which complies with, and qualifies under, the by-laws of the Corporation in that behalf;
 - (b) release any corporate member desiring to withdraw from the Corporation;
 - (c) expel any corporate member failing to conform to, abide by, or comply with, the by-laws of the Corporation;
 - (d) promote the spiritual welfare of, and the unity of spirit among, the various corporate members of the Corporation, and, by mutual assistance, to foster, diffuse, encourage, advance and strengthen the work of the Kingdom of God;
 - (e) organize, maintain, carry on and assist, in all parts of Canada, for or on behalf of any corporate member of the Corporation, churches, parsonages, missions, schools, colleges, hospitals, orphanages, homes for the aged, and any other institutions for religious, educational, congregational or social purposes, or any of them;
 - (f) establish, maintain and support a publishing house for the purpose of printing and disseminating Gospel literature for the objects of the Corporation;
 - (g) administer the property, business and other temporal affairs of the Corporation in Canada.

Management.

- 5.** The affairs of the Corporation shall be managed by three directors, who shall be assisted by such other officers and agents as the Corporation may appoint.

Power to make by-laws.

- 6.** The Corporation may from time to time make by-laws, not contrary to law, for

- (a) the prerequisites of admission, and the qualifications, respecting any congregation of Mennonites in Canada desiring to become a corporate member of the Corporation, and the release, or expulsion, of any corporate member from the Corporation;
- (b) the administration, management and control of the property, business and other temporal affairs of the Corporation;
- (c) the election or appointment, and the functions, duties and remuneration, of all directors, and other officers, agents and servants of the Corporation;
- (d) the creation of any special committee or board for the purpose of the Corporation, and the appointment or election of the members thereof;
- (e) the calling of regular or special meetings of the Corporation, and of any committee or board thereof, and fixing the necessary quorum of, and the procedure

to be followed at, all meetings of the Corporation, and of any Committee or board thereof, and of all meetings of the directors of the Corporation;

(f) the general performance of the objects and purposes of the Corporation.

7. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal and incorporeal, and any and every estate and interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for, or in favour of, the Corporation.

Power to acquire and hold property.

(2) The Corporation may also hold such real property or estate therein as is bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

8. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not, and may also, from time to time, invest all or any of its funds or moneys and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Investment in and disposal of real property.

9. (1) No parcel of land, or interest therein, at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, or for a longer period than ten years after it shall have ceased to be required for the actual use and occupation by the Corporation, whichever shall be the longer period, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein, except by way of security.

Obligation to dispose of lands.

(2) The Secretary of State may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.

Extension of time.

Fifteen year
limit.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years after the date of the acquisition thereof, or after it shall have ceased to be required for the actual use or occupation by the Corporation, whichever shall be the later date.

Forfeiture of
property
held beyond
the time
limit.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of, shall be forfeited to His Majesty for the use of Canada.

Statement.

(5) The Corporation shall give the Secretary of State, when required, a full and correct statement of all lands, at the date of such statement, held by the Corporation, or in trust for it, and subject to the provisions of this section.

Application
of section.

(6) This section shall apply only to lands and estates, or interests therein, which, by reason of the situation of such lands or otherwise, are subject to the legislative authority of the Parliament of Canada.

Application
of mortmain
laws.

10. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act, but otherwise, the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Transfer of
property
held in
trust.

11. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof to the Corporation.

Execution of
documents.

12. Any deed or other instrument relating to real property, or any interest therein, shall be deemed to be duly executed if there is affixed thereto the seal of the Corporation and the signature of the President and Secretary-Treasurer of the Corporation duly authorized for such purpose.

13. The Corporation may make a gift of or loan any of its property, whether real or personal, to, or for the assistance of, any congregation of Mennonites in Canada for the purchase, erection, leasing or maintenance of any building or buildings deemed necessary for any church, college, parsonage, school, hospital, orphanage or home for the aged, or for any other religious, charitable, educational, congregational or social purpose, upon such terms and conditions as it may deem expedient.

Disposition
of property
by gift
or loan.

14. (1) The directors of the Corporation may, from time to time, for the purposes of the Corporation,

Borrowing
powers.

- (a) borrow money upon the credit of the Corporation;
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse, or become party to promissory notes and bills of exchange; and it shall not be necessary to have the seal of the Corporation affixed to any such note or bill;
- (d) issue bonds, debentures or other securities of the Corporation;
- (e) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;
- (f) mortgage, hypothecate, charge or pledge all or any of the real and personal property, undertaking and rights of the Corporation to secure any such bonds, debentures or other securities or any money borrowed or any other liability of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Limitation.

15. The Corporation may also invest and reinvest any of its funds in

Investment
of funds.

- (a) bonds or debentures of any municipality, or public school corporation, or district in Canada, in bonds, stock and debentures or other securities of Canada, or of any province thereof, or in any security the payment of which is guaranteed by Canada, or any province thereof;
- (b) first mortgages or freehold property in Canada, and, for the purpose of the same, may take mortgages or assignments thereof, whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it, and may sell and assign the same; or
- (c) any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds.

scope.

16. The Corporation may exercise its functions throughout Canada, and meetings of the board of directors of the Corporation may be held at any place within Canada.

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11 GEORGE VI.

CHAP. 92.

An Act to incorporate The Roman Catholic Episcopal Corporation of Labrador.

[Assented to 17th July, 1947.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Right Reverend Lionel Scheffer, Bishop of Isba and Vicar Apostolic of Labrador, and his successors, being Vicars Apostolic of the Vicariate Apostolic of Labrador located partly in the province of Quebec, partly in the Northwest Territories and partly in Newfoundland and Labrador, in communion with the Roman Catholic Church, are hereby incorporated under the name of "The Roman Catholic Episcopal Corporation of Labrador", and in French "La Corporation Episcopale Catholique Romaine du Labrador", hereinafter called "the Corporation", for the purposes of administering the property, business and other temporal affairs of the Apostolic-Vicariate.

2. (1) The head office of the Corporation shall be at the village of Lourdes-de-Blanc-Sablon, in the province of Quebec, or at such other place as may be appointed by the Corporation.

(2) The Corporation shall give notice, in writing, to the Secretary of State, of any change of its head office and such notice shall be published in the *Canada Gazette*.

3. The Corporation may, from time to time, make by-laws not contrary to law, for,

(a) the administration, management and control of the property, business and other temporal affairs of the Corporation;

- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;
- (c) the appointment of an executive committee and of special committees, from time to time, for the purposes of the Corporation, and for the calling of meetings of such committees;
- (d) generally for the carrying out of the objects and purposes of the Corporation.

Power to
acquire and
hold
property.

4. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, and any or every estate or interest whatsoever, given, granted, mortgaged, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the use and purposes of the Corporation or to, for or in favour of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Corporation.

Investment
in and
disposal of
property.

5. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment for the uses and purposes of the Corporation or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way or mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

Statement.

6. The Corporation shall give the Secretary of State when required by him a full and correct statement of all real property at the date of such statement held by the Corporation or in trust for it.

Application
of mortmain
laws.

7. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

8. In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or otherwise, for the use and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.

Authority
for transfer
of property
held in trust.

9. Any deed or other instrument relating to real property vested in the Corporation or to any interest in such real property shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose or his lawful attorney.

Execution of
deeds.

10. (1) The Corporation may, from time to time, for the purposes of the Corporation:—

Borrowing
powers.

(a) borrow money upon the credit of the Corporation;

(b) limit or increase the amount to be borrowed;

(c) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the party thereto authorized by the by-laws of the Corporation and countersigned by the proper party thereto authorized by the said by-laws of the Corporation, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

(d) issue bonds, debentures or other securities of the Corporation;

(e) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient;

(f) mortgage, hypothecate or pledge any property of the Corporation, real or personal, to secure the repayment of any money borrowed for the purposes of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank or to engage in the business of banking or insurance.

11. Whenever it is deemed expedient to establish as a body corporate any board, committee or other body for any of the purposes of the Apostolic Vicariate the Vicar Apostolic may establish such board, committee or other body

Establish-
ment of
boards and
committees,
etc., as bodies
corporate.

and may declare such board, committee or other body to be a body corporate, and upon the filing of the certificate hereinafter mentioned, the same shall be and become a body corporate with such organization, powers, rights and duties, not contrary to law or inconsistent with this Act, as may be defined from time to time by the Vicar Apostolic including the right to acquire, hold, administer and dispose of all property, real or personal, which may be devised, bequeathed, granted or conveyed to any such board, committee or body, for the purposes of the Apostolic Vicariate, and the right to borrow any money necessary in the opinion of such board, committee or body for the purposes thereof, and to mortgage, hypothecate, or pledge so much of the real or personal property held by any such board, committee or body as may be necessary to secure any amount so borrowed. In each case the Vicar Apostolic shall file with the Secretary of State for Canada a copy of the instrument of authorization or establishment, certified under his hand and seal of office. A certificate under the official seal of the Vicar Apostolic shall be sufficient evidence in all courts of the establishment of such board, committee or body and of its constitution and powers.

Investment
of funds.

12. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities.

Executive
committee.

13. The Corporation may exercise all its powers by and through an executive committee or such boards or committees as the Vicar Apostolic may from time to time appoint for the management of any affairs of the Apostolic Vicariate, but in accordance only with the trusts relating to any property upon or for which the same is held.

Vacancy,
absence or
incapacity.

14. In case of any vacancy occurring in the said Vicariate or in case the Vicar Apostolic for the time being shall from absence, sickness, infirmity or any other cause become incapable or incapacitated to perform his duties in the said Vicariate, then the member of his clergy who, according to Canon Law, is selected to administer the Vicariate shall, during such vacancy, absence, sickness, infirmity or incapacity, have the same powers as are by this Act conferred upon the said Vicar Apostolic.

Application
to diocese
when erected.

15. Whenever the said Vicariate, or any part thereof is erected into a diocese, the bishop thereof, and his successors, for the time being, in communion with the Roman Catholic Church, shall be deemed to be and to constitute The

Roman Catholic Episcopal Corporation of Labrador and in French "La Corporation Episcopale Catholique Romaine du Labrador", being the Corporation created by this Act, and shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.

16. The Corporation may exercise in any part of Canada and in Labrador the rights and powers conferred upon it by this Act. ^{Extra territorial powers.}

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11 GEORGE VI.

CHAP. 93.

An Act respecting The Woman's Auxiliary to the Missionary Society of the Church of England in Canada.

[Assented to 17th July, 1947.]

WHEREAS The Woman's Auxiliary to the Missionary Society of the Church of England in Canada, a corporation duly incorporated by chapter ninety-eight of the statutes of 1908, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1908, c. 98.

1. The name of "The Woman's Auxiliary to the Missionary Society of the Church of England in Canada", hereinafter called "the Auxiliary", is hereby changed to "The Woman's Auxiliary of the Church of England in Canada", but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Auxiliary or any bequest, gift or donation now made or which hereafter may be made to the Auxiliary whether by its original or its new name, or any suit or proceeding now pending or judgment existing either by or in favour of or against the Auxiliary and which, notwithstanding such change in name of the Auxiliary, may be enforced and continued as if this Act had not been passed.

Name changed.
Existing rights not affected.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

11 GEORGE VI.

CHAP. 94.

An Act to incorporate Workmen's Circle of Canada.

[Assented to 27th June, 1947.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that they may be incorporated as a fraternal benefit society under the name of Workmen's Circle of Canada, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. David Goldman, manufacturer, Sol Glazer, tailor, Incorporation.
Paul Frumharz, printer, Boris Litman, gentleman, Jacob Wargon, operator, all of the city of Toronto, in the province of Ontario, and Solomon Bregman, capmaker, Harry Leibovitch, dealer, Jacob Reich, tailor, Saniel I. Mirman, manufacturer, Noah Wewrick, physician, all of the city of Montreal, in the province of Quebec, together with such other persons as become members of the society hereby incorporated, are incorporated under the name of "Workmen's Circle of Canada", hereinafter called "the Society". Corporate name.

2. The head office of the Society shall be at the city of Head office.
Montreal, in the province of Quebec.

3. The Society shall be a fraternal benefit society, Fraternal benefit society.
carrying on its benefit and insurance work solely for the protection of its members, their families and beneficiaries, and not for profit.

4. (1) The Society shall have power throughout Canada: Powers.
(a) to organize, establish and carry on local branches of the Society which may be composed of adults and others;
(b) to propagate and develop among the members of the Society a spirit of mutual co-operation, assistance and friendship;

- (c) to promote and cultivate among the members of the Society sports, hygienic, cultural and dramatic activities, as a means of better understanding and relationship among the members and the Canadian people generally; and such activities may be conducted so as to combine their native and Canadian literature, music, arts, traditions, customs and amusements; and
- (d) to establish and maintain homes for old, poor and infirm persons and to establish orphanages and otherwise take care of and maintain the orphans of deceased members.

(2) The Society may establish, maintain and administer:

- (a) a mortuary insurance fund for providing death, endowment and other benefits within the powers in that behalf conferred on fraternal benefit societies under *The Canadian and British Insurance Companies Act, 1932*;
- (b) a personal accident and sickness insurance fund for providing benefits in the event of the death of, or injury to, a member by accident and for providing indemnity during the incapacity of a member arising out of accident or sickness;
- (c) a juvenile insurance fund for providing death or endowment benefits in respect of any child, or any child under the guardianship, of any member.

(3) The Society may secure for its members such other advantages, and establish, maintain and administer such other fund or funds, as may be provided by the by-laws of the Society and as may be necessary to the attainment of the foregoing objects and, generally, to act as a fraternal, charitable and benevolent society.

Qualification
for
membership.
Proviso.

5. Only persons acceptable to the Society shall be admitted as members of the Society: Provided that all persons who are members in good standing of the Workmen's Circle hereinafter referred to, at the date on which an agreement such as provided for in section fifteen hereof becomes effective, shall be eligible to be admitted as members of the Society.

Convention
of the
Society.

Proviso.

6. (1) The Society shall be governed by the convention, which shall constitute the final legislative and governing body of the Society, and shall meet every three years at a place to be designated by the board of directors: Provided, however, that, in special circumstances, the Society may convoke an extraordinary session of the convention at any time before the end of three years following the last preceding convention, upon an absolute majority decision of all the members of the board of directors.

(2) The convention shall consist of:

(a) the members of the board of directors;

(b) the members of the board of auditors; and

(c) delegates representing the various branches, as appointed or elected in accordance with the by-laws of the Society.

7. (1) The affairs of the Society shall be managed by the board of directors, which shall consist of the president, the vice-president, the recording secretary, and the secretary-treasurer, and as many other directors, not exceeding ten, as may be elected by the Society at its convention. Management.

(2) The members of the board of directors other than the ex officio members shall be elected by the convention and shall hold office until their successors are elected.

8. The persons named in section one of this Act shall constitute the board of directors of the Society until their successors are elected, pursuant to the provisions of this Act and the constitution and by-laws of the Society. First directors.

9. The Society shall have power from time to time to make, amend and repeal by-laws and regulations for governing the election of officers, directors and trustees and the prescribing and defining of their duties and powers, the holding of meetings, the admission of members and the termination of membership, the fixing of the amounts of premiums, dues and assessments to be paid by the members, and generally all matters relating to the activities, business or affairs of the Society. Constitution and by-laws.

10. (1) The Society may maintain a general fund, to which shall be credited all dues and other sums intended, according to the constitution and by-laws, to be used for the payment of administrative and all other expenses of the Society, and all expenses of the Society, including those arising from the exercise of the powers conferred by section four of this Act, shall be payable out of such fund. General fund.

(2) The Society may make provision in its by-laws whereby, in the event of there being a deficiency in the general fund and a surplus above all liabilities in any one or more of the benefit funds, the convention may, in any year, provide for the allocation to the general fund of such portion as the actuary of the Society may recommend of the premiums or assessments falling due during the succeeding twelve months in any benefit fund or funds in which there is a surplus: Provided that the amount so allocated to the general fund during the said period does not exceed two months' premiums in the said benefit fund or funds. Provision for deficiency in general fund.

Proviso.

Notice of
allocation
of premiums.

(3) Notice of intention to make an allocation to the general fund of any premiums or assessments or portions thereof, as provided in the last preceding subsection, shall be given by mail to the members of the Society at least one month before such allocation is made.

Special
assessment
when fund
exhausted.

(4) If at any time the general fund or the surplus in any other fund becomes exhausted or is in danger of becoming exhausted, the convention of the Society may, on the recommendation of the actuary of the Society, levy upon each member in the fund such assessment as is necessary to remove any deficit therein or the danger of it becoming exhausted and such assessment shall thereupon be paid by each such member.

Disposition
of surplus of
benefit fund.

11. The Society may make provision in its constitution and by-laws whereby such portion of the surplus above all liabilities in any benefit fund as shall be approved by the actuary of the Society may be applied to grant new or additional benefits to the members of the Society, or to the remission of premiums, or portions thereof, or to the allotment of bonuses.

Acquisition of
real estate.

12. The funds necessary for procuring any properties required by the Society for the carrying on of its activities may be expended out of the general fund, or raised through special assessments or donations, or in any other way that the convention may direct.

Ownership
and control of
property.

13. All property purchased with the funds of the Society shall be the property of and shall be vested in the Society, and shall be administered, managed and controlled by the board of directors.

No disposi-
tion to
members.

14. No property of the Society shall, under any circumstances pass into the private ownership of any member or members of the Society as an individual or individuals, but all such property shall be and always remain the property and estate of the Society as a whole and shall be used exclusively for the work of the Society and to promote its objects.

Acquisition of
assets of
Workmen's
Circle in
respect to its
Canadian
business.

15. (1) The Society may acquire the whole or any part of the rights, assets and property of any kind whatsoever of the Workmen's Circle, incorporated under the laws of the state of New York, one of the United States of America, accumulated or maintained in respect of its Canadian business, and in the event of such acquisition shall assume, perform and discharge any unperformed obligations and undischarged liabilities of the said Workmen's Circle in respect to the rights and property acquired having

regard to the individual contracts of such members in respect to the rights and property acquired, but upon such terms and conditions and with such modifications as may be agreed upon between the Society and the said Workmen's Circle, its representatives or assignees, and may give any receipts or discharges in connection with any right, obligation or liability thereof.

(2) No agreement between the Society and the said Workmen's Circle providing for such acquisition and assumption shall become effective until such agreement has been submitted to and approved by the Treasury Board of Canada, and such Board shall not approve the agreement if it appears to the Board that more than one-third of the members of the Workmen's Circle resident in Canada and who are recorded in its books as belonging to Canadian branches, present and voting at a meeting or meetings called for the purpose of considering such agreement, are opposed to it.

Approval of
Treasury
Board.

16. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice published in *The Canada Gazette*, and such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the Workmen's Circle resident in Canada and who are recorded in its books as belonging to Canadian branches, present and voting at a meeting called for the purpose of considering such resolution, nor until the Superintendent of Insurance has been satisfied by such evidence as he may require, that such approval has been given and that the said Workmen's Circle has ceased to do business in Canada, or will cease to do business forthwith upon a certificate of registry being issued to the Society, except such business as is necessary for the fulfilment of the terms of any agreement made under the provisions of section fifteen of this Act, and will forthwith upon the issue of the said certificate cease to do business in Canada.

Coming into
force.

17. *The Canadian and British Insurance Companies Act, 1932*, shall apply to the Society.

1932, c. 46 to
apply.

11 GEORGE VI.

CHAP. 95.

An Act to incorporate the Yellowknife Telephone Company.

[Assented to 17th July, 1947.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Victor Davis Ingraham, hotel proprietor, Gerald D. Murphy, prospector, James D. Mason, mining engineer, Donald J. McLeod, promoter, and James A. Whillans, physician, all of Yellowknife, in the Northwest Territories, together with such persons as shall hereafter become shareholders in the Company are incorporated under the name of the “Yellowknife Telephone Company”, hereinafter called “the Company”. Incorporation.
Name.

2. The works and undertaking of the Company are hereby declared to be for the general advantage of Canada. Declaratory.

3. The persons named in section one of this Act shall be the first or provisional directors of the Company, a majority of whom shall be a quorum; and they may forthwith open stock books and procure subscriptions for shares and receive payments on account of shares, and may make calls upon the subscribers and may call the first general meeting of the ordinary shareholders and may carry on the business of the Company. Provisional
directors.
Quorum
and powers.

4. The capital stock of the Company shall be two hundred and fifty thousand dollars divided into shares of fifty dollars each and may be issued in whole or in part, and may be called up from time to time and in such manner Capital stock,

as the directors determine but no one call shall exceed twenty-five per cent. on the shares subscribed, and there shall be an interval of at least thirty days between calls.

Company
may issue
classes of
shares.

5. (1) The Company, if previously authorized by resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital, whether part of the original stock or any increase thereof, as stock of different classes or shares and, without prejudice to any special rights previously conferred upon the holders of existing shares in the Company, any share in the Company may be issued with such preferred, deferred or other special rights or such restrictions, whether in regard to dividend, voting, return of share capital or otherwise, as the Company may from time to time by above mentioned resolution determine and any preference share may, if sanctioned by the said resolution, be issued on the terms that it is or at the option of the Company is liable to be redeemed.

Rights of
holders.

(2) Holders of preference shares shall not have any right of voting at meetings of the Company except the right to attend and vote at general meetings on any question directly affecting any of the rights or privileges attached to such shares, and then there shall be one vote per share, but no change in the rights or privileges shall be made unless the holders of seventy-five per centum of the preference shares agree to same, and ownership of ordinary or preference or preferred shares shall qualify any person to be a director of the Company.

Redemption
of
preference or
preferred
shares.

(3) Subject to the provisions of this Act, the Company may issue preference or preferred shares which are at the option of the Company liable to be redeemed, and in respect to such shares the following provisions shall apply:—

(a) to the extent that any redemption of preference or preferred shares shall be made otherwise than out of the profits of the Company ordinarily available for dividend, the provisions of *The Companies Act, 1934*, Part I, relating to the reduction of the share capital of a company, shall apply, and such redemption shall be carried out only after compliance with such provisions, and the Secretary of State may issue a certificate confirming the reduction on such terms and conditions as he thinks fit in lieu of supplementary letters patent provided for under said provisions;

Part I of 1934,
c. 33 to apply.

(b) no preference or preferred shares shall be redeemed unless they are fully paid and no premium shall be payable on the redemption of such shares except out of profits which would otherwise have been available for dividend;

(c) where in pursuance of this section the Company has redeemed any preference or preferred shares or is about to redeem any such shares out of the proceeds of an issue of shares to be made for the purpose of such redemption, it shall have power to issue shares up to the par amount of the shares redeemed or to be redeemed as aforesaid, as if the same had never been issued.

6. (1) After ninety per cent. of the capital stock has been issued and fifty per cent. paid thereon the capital stock of the Company may be increased from time to time by such amounts as the shareholders deem necessary for the proper extension of the undertaking of the Company, such increase to be effected by resolution of the directors by and with the consent of a majority of two-thirds in value of the ordinary shareholders present or represented by proxy at any annual general or at any special general meeting of the ordinary shareholders called for that purpose: Provided that the total capital stock of the Company including the present authorized stock shall not exceed seven hundred and fifty thousand dollars.

Capital stock may be increased.

Proviso.

(2) The Company shall not have power to make any issue, sale or other disposition of its capital stock or any part thereof, without first obtaining the approval of the Board of Transport Commissioners for Canada of the amount, terms or conditions of such issue, sale or other disposition of such capital stock.

Disposition of capital stock subject to approval of Board of Transport Commissioners.

7. (1) If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed ordinary stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

Borrowing powers.

- (a) borrow money upon the credit of the Company;
- (b) limit or increase the amount to be borrowed;
- (c) issue bonds, debentures, debenture stock or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient;
- (d) hypothecate, mortgage, or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures, debenture stock or other securities and any money borrowed for the purposes of the Company.

Bills and
notes.

(2) Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Securities
as first
preferential
claim.

(3) The bonds, debenture stock, debentures or other securities hereby authorized to be issued shall be taken and considered to be a first preferential claim and charge upon the Company and the undertaking franchises, uncalled capital, tolls, incomes, rents, revenues and real and personal property thereof at any time acquired and all its property and assets whatsoever and wheresoever both present and future saving and excepting any charges existing thereon at the date of the acquisition thereof.

Disposal of
undertaking.

8. The Company shall have power to sell and dispose of the undertaking of the Company and its rights and properties for such consideration as the Company may think fit: Provided that no such sale or disposal shall be made until it is approved by a meeting of ordinary shareholders duly called for that purpose, at which meeting two-thirds in value of the issued ordinary shares are represented by ordinary shareholders in person or by proxy, and provided, further, that no such sale or disposal shall take effect until it has been submitted to and approved of by the Board of Transport Commissioners for Canada.

Proviso.

Powers as to
approval of
ordinary
shareholders.

Acquisition
of business
of other
companies.

9. The Company shall have power to purchase, take over, lease, amalgamate with or otherwise acquire from any person, or other company or companies having objects in whole or in part similar to the objects of the Company all or any part of the property, real or personal, undertaking, business, powers, contracts, privileges and rights of any such person, or company or companies that may have been conferred upon any such person, or company or companies by charter, acts of incorporation, by-laws or contracts; and the Company shall have power to allot and issue to such person, company or companies or to the shareholders thereof or any one or more of them, shares either ordinary or preference, or both, in the capital stock of the Company in payment in whole or in part of the said property, real or personal, undertaking, business, rights, contracts, powers and privileges of such person, company or companies, and so to allot and issue such shares as fully paid up or as partly paid up as shall be agreed upon between the Company and such person, company or companies, or any one or more of them.

Election of
directors.

10. (1) So soon as ten thousand dollars of the capital stock has been subscribed and fully paid up, the provisional directors shall call a meeting of the ordinary shareholders

for the election of directors, and for the transaction of such other business as may be transacted at an annual meeting of the Company.

(2) Notice of such meeting shall be sufficiently given Notice.
by mailing the notice, by registered letter, at least twenty-one days previous to the date of such meeting to the last known post office address of each ordinary shareholder.

11. The number of the directors shall be not less than three nor more than nine, one or more of whom may be paid directors and a majority of whom shall be a quorum. Number of directors.

12. The head office of the Company shall be at Yellowknife, in the Northwest Territories, or at such other place in Canada as may be hereafter determined upon by the directors of the Company. Head office.

13. Subject to the provisions of the *Railway Act* relating to telephones, telephone systems or lines, and of the *Navigable Waters Protection Act* the Company may,— Powers.
R.S., c. 170.
R.S., c. 140.

(a) construct, purchase, lease or otherwise acquire, maintain, repair, and operate lines of electric telephone over or under land or under water or both between any places or anywhere in the Northwest Territories; Telephone lines.

(b) construct, purchase, lease or otherwise acquire, maintain, repair and operate extensions of lines hereby authorized to any places or anywhere outside of the Northwest Territories, either over or under land or under water or both; Extensions of lines.

(c) construct, manufacture, purchase, lease or otherwise acquire, lay, erect, maintain, repair, use and operate all such towers, cables, wires, poles, manholes, conduits, works, structures, buildings, plants, instruments, switchboards, machinery, apparatus, appliances, implements, materials, and supplies as may be necessary for the purposes of the Company's undertaking or as may appertain to its business, and dispose of the same in whole or in part; Towers, poles, appliances, etc.

(d) for the purposes of the Company's undertaking, construct, purchase, lease or otherwise acquire, charter, maintain and operate steamships and other vessels either within or without the Dominion of Canada, for the laying, maintenance and operation of submarine and sub-aqueous cables; Vessels, etc.

(e) acquire and use any privilege granted by any federal, provincial or municipal authority and acquire, use and dispose of any invention, letters patent of invention, or the right to use any inventions in any way connected with or appertaining to its business; Letters patent of invention, etc.

Concessions,
etc.

(f) acquire from any government authority or person, for such consideration as the Company may think fit and, in particular, for shares in the Company, any property, rights, privileges, and concessions which the Company may think desirable to obtain and to use, carry out, exercise and comply with any such property, rights, privileges and concessions;

Agreements
with Federal
and other
authorities.

(g) enter into any contracts or arrangements with any federal, provincial or municipal authority or any person or company for any purpose or work in the Company's interest, or that may seem conducive or incidental to the Company's objects, and to obtain from or give to any such federal, provincial or municipal authority, person or company, any rights, privileges and concessions which the Company may think it desirable to obtain or to give, and to carry out, exercise and comply with any such contract or arrangement;

Advance
money
upon security.

(h) upon such security as it may deem necessary, advance money to any corporation, company or person, to build or operate any telephone system or systems;

Contractors.

(i) as contractors for any other corporation, company or person, do anything as contractors which it might do for its own purposes;

Investments.

(j) invest and deal with any of the moneys, including moneys held by the Company to the credit of any of its sinking funds, of the Company not immediately required for the purposes thereof, upon such securities as trustees may under the laws of the Dominion of Canada invest in, and in such manner as they may think fit, and from time to time vary or realize such investments; and

Offices.

(k) establish offices for the transmission and reception of messages and may transmit messages for the public and charge tolls and rates therefor; but no toll or charge shall be demanded or taken until it has been approved of by the Board of Transport Commissioners for Canada which Board may also revise such tolls and charges.

Agreements
for connecting
lines of
Company
with other
lines.

R.S., c. 170.

14. In any case where a telephone system or line is owned or operated in the Northwest Territories, or adjacent thereto, by any person, corporation, or municipality, or by any province or territory of Canada, or by any state of the United States of America, the Company may, subject to the provisions of the *Railway Act*, enter into and carry out agreements or arrangements with such person, corporation, municipality, province, territory, or

state for the purpose of connecting the Company's telephone system or lines with the telephone system or line of such person, corporation, municipality, province, territory or state.

15. Subject to the provisions of section thirteen of this Act, the Company may construct, install, erect, and maintain, above or below ground or water, or both or either, its line or lines of telephone along the sides of and across or under any public highways, streets, bridges, water-courses, or other such places, or across or under any waters whether navigable or not either wholly in the Northwest Territories, or dividing the Northwest Territories from the remainder of Canada, or from any other country, but the Company shall not break up or open any part or parts of any highway, not being within a municipality, without first having obtained the consent of the proper authority.

Telephone lines upon highways, etc.

16. (1) The Company, when the said line or lines shall pass through any wood, may cut down the trees or under-wood for a space of one hundred feet on each side of such line or lines, doing as little damage as may be in the exercise of the powers to them hereby granted: Provided always that the Company shall make compensation whenever required so to do to the owners of, proprietors of, or persons interested in, the lands so entered upon by the Company for all damage by them sustained from the exercise of the power granted by this section.

Lines passing through woods.

Proviso.
Com-
pensation.

(2) The Company shall not, however, cut down any ornamental or fruit trees or any trees planted or preserved as a protection to any building, orchard or cultivated ground, or any trees in any city, town or village or in any garden, park, pleasure ground, churchyard or cemetery.

Preservation of ornamental and fruit trees.

(3) In case of disagreement arising between the Company and any owner or occupier of the lands upon which the Company may have cut down trees in respect of any damage done the same, the Company and each owner or occupier shall each choose an arbitrator, which two arbitrators shall choose a third, and the decision on the matter in difference of any two of them in writing shall be final; and if the said owner or occupier or the Company neglects or refuses to choose any arbitrator within four days after notice in writing, and upon proof of personal service of such notice, or, if such two arbitrators when duly chosen disagree in the choice of a third arbitrator, in any such case the Minister of Transport may nominate any such arbitrator or third arbitrator, as the case may be, who shall possess the same power as if chosen in the manner above provided.

Arbitration in case of disagreement.

When third arbitrator named by Minister of Transport.

Agreements
with other
companies.

17. It shall be lawful for the Company, for such consideration as may be agreed upon, to enter into, and carry out to completion, any agreement in the nature of assuming the payment of or guaranteeing the payment of principal and interest, or either, on bonds, debenture stock or debentures, issued or to be issued, or assuming the obligations of, or guaranteeing the carrying out of, any obligation, or any part thereof, created by any person or company selling, leasing, or conveying to the Company under the above powers, such agreement to be approved of by the holders of a majority in value of the ordinary shares of the Company who are present or represented by written proxy at any special meeting to be called for the purpose, in accordance with the by-laws of the Company; and every such agreement when so approved shall be valid and binding according to the terms and tenor thereof.

Rates and
tolls.

18. The Company for a period of four months after the passing of this Act shall have power to charge, sue for, recover and collect rates, rentals and tolls in such amounts as the directors of the Company may set for services rendered by the Company and, after the period of four months, shall have power to charge, sue for, recover and collect such rates, rentals and tolls as are approved by the Board of Transport Commissioners for Canada.

1934, c. 33.

19. All provisions of *The Companies Act* not inconsistent herewith shall apply to the Company.

OTTAWA: Printed by EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
Law Printer to the King's Most Excellent Majesty.

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LOCAL AND PRIVATE ACTS

THIRD SESSION, TWENTIETH PARLIAMENT, 11 GEORGE VI, 1947.

Copies of Volume II of the Statutes—Divorce Acts—may be obtained from the King's Printer at \$5. per volume or of individual acts at 10 cents. each.

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